

REMARKS

Applicants respectfully request reconsideration of this application. Claims 1, 3-10 and 12-19 have been amended to more particularly point out what is the invention. Claims 1-20 are pending. No new matter has been added.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,835,896 of Fisher et al. (“Fisher”) in view of U.S. Published Application No. 2001/0041993 of Campbell (“Campbell”).

Applicants respectfully submit that the combination of Fisher and Campbell do not disclose nor suggest each and every element as recited in amended claims 1, 10, and 19. Fisher discloses the submitting of bids in an auction for good/services but does not disclose nor suggest actions to be performed if complaints arise between the buyer and the seller. Furthermore, Fisher does not disclose how a complaint might be submitted, nor how a resolution to this complaint might be resolved between the buyer and the seller. In addition, as the Advisory Action mailed January 14, 2004 articulates, Campbell discloses an auction system that allows “*attorneys to bid on unresolved insurance claims . . .*”

Applicants respectfully submit that this combination of Fisher and Campbell is not the same as facilitating a dialog between the first party and the second party to provide a resolution of the complaint, where the first party and the second party generated the network-based transaction. Facilitating a dialog between the parties of the transaction, when a dispute arises, relieves the parties from the time and expense of hiring a third party to resolve their dispute, such as the attorney as disclosed in Campbell. For example, a first party (e.g., a buyer) might file a complaint because he/she might not have received a purchased item within a specific amount of

time. The second party (e.g., a seller) might then indicate to the first party that there was a shipping error and the purchased item will now be shipped as soon as possible. Hence, the complaint is resolved without involving an attorney. Neither Fisher nor Campbell disclose nor suggest facilitating a dialog to resolve a complaint between the parties of the transaction, as claimed.

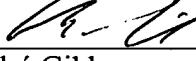
Accordingly, Applicants respectfully submit Fisher in view of Campbell does not render claim 1 obvious. Independent claims 10 and 19 include features similar to those discussed above for claim 1. Therefore, Applicants respectfully request the rejection to claims 1, 10, and 19 be withdrawn, as well as the rejection to the claims that are dependent, directly or indirectly, on these claims.

In conclusion, Applicants respectfully submit that the rejections have been overcome by the amendments, and that the claims are in condition for allowance. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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